

INTRASTATE ACCESS SERVICE

CHECK SHEET

Original Title Page and Pages 1 to 65 inclusive of this tariff are effective as of the date shown.

<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>	<u>Page</u>	<u>Revision</u>
Title Page	Original	22	Original	44	Original
1	1st	23	Original	45	Original
2	Original	24	Original	46	Original
3	Original	25	Original	47	Original
4	Original	26	Original	48	Original
5	Original	27	Original	49	Original
6	Original	28	Original	50	Original
7	1st	29	Original	51	Original
8	1st	30	Original	52	Original
9	1st	31	Original	53	Original
10	Original	32	Original	54	Original
11	Original	33	Original	55	Original
12	Original	34	Original	56	Original
13	Original	35	Original	57	Original
14	Original	36	Original	58	Original
15	Original	37	Original	59	Original
16	Original	38	Original	60	Original
17	Original	39	Original	61	Original
18	Original	40	Original	62	Original
19	Original	41	Original	63	Original
20	Original	42	Original	64	Original
21	Original	43	Original	65	Original

Issued: June 16, 2014

Effective: July 1, 2014

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INTRASTATE ACCESS SERVICE

2. General Regulations

2.1 – 2.6 General Regulations for this tariff are contained in the following sections of the Access Service Tariff, FCC No. 1, filed with the Federal Communications Commission by John Staurulakis, Inc. (“JSI”) as such tariff now exists and as may be subsequently modified.

- 2.1 Undertaking of the Telephone Company
- 2.2 Use
- 2.3 Obligations of the Customer
- 2.4 Payment Arrangements and Credit Allowances
- 2.5 Connections
- 2.6 Definitions

Exceptions to the above-referenced JSI Tariff sections are as follows:

2.7 Identification and Rating of VoIP-PSTN Traffic(A) Scope

- (1) VoIP-PSTN Traffic is defined as traffic exchanged between the Telephone Company end user and the customer in time division multiplexing (“TDM”) format that originates and/or terminates in Internet protocol (“IP”) format. This section governs the identification of VoIP-PSTN Traffic that is required to be compensated at rates not to exceed interstate access rates by the Federal Communications Commission in its Report and Order in WC Docket No. 10-90, *etc.*, FCC Release No. 11-161 (November 18, 2011) (“FCC Order”). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as “Toll VoIP-PSTN Traffic”) from the customer’s traditional intrastate access traffic, so that such Toll VoIP-PSTN Traffic can be billed in accordance with the FCC Order. The term “Toll VoIP-PSTN Traffic” denotes a customer’s interexchange voice traffic exchanged with the Telephone Company in Time Division Multiplexing format over Public Switched Telephone Network (PSTN) facilities, which originates and/or terminates in Internet Protocol (IP) format. “Toll VoIP-PSTN Traffic” originates and/or terminates in IP format when it originates from and/or terminates to an end user customer of a service that requires IP-compatible customer premises equipment.

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INTRASTATE ACCESS SERVICE

2. General Regulations (Cont'd)2.7 Identification and Rating of VoIP-PSTN Traffic (Cont'd)(B) Rating of VoIP-PSTN Traffic

The Toll VoIP-PSTN Traffic will be billed at rates equal to the Telephone Company's applicable tariffed interstate switched access rates as specified in the Telephone Company's applicable federal access tariff or the Telephone Company's applicable tariffed intrastate switched access rates as specified in the Telephone Company's applicable state access tariff, whichever is lower. Hereafter, these billed rates will be referred to in this tariff as the relevant "VoIP Rates."

(C) Calculation and Application of Percent-VoIP-Usage Factor

There is no need to determine the percentage of VoIP usage for purposes of applying VoIP Rates to terminating Toll VoIP-PSTN Traffic because intrastate and interstate terminating access rates are at parity. The Telephone Company will determine the number of originating Toll VoIP-PSTN Traffic minutes of use ("MOU") to which VoIP Rates will be applied under subsection (B), above, by applying a Percent-VoIP-Usage ("PVU") factor to the total originating intrastate access MOU received by the Telephone Company from the customer. The PVU will be derived and applied as follows:

- (1) The customer will calculate and furnish to the Telephone Company a factor (the "PVU"), along with supporting documentation, representing the whole number percentage of the customer's total originating intrastate access MOU that the customer receives from the Telephone Company in the State that is originated by the Telephone Company and that originated in IP format. This PVU shall be based on information such as traffic studies, actual call detail, or other relevant and verifiable information.
- (2) After the Telephone Company verifies the PVU provided by the customer, the Telephone Company will apply the PVU factor to the total originating intrastate access MOU received from the customer to determine the number of Toll VoIP-PSTN Traffic MOUs.
- (3) If the customer does not furnish the Telephone Company with a PVU pursuant to the preceding paragraph 1, the Telephone Company will utilize a PVU equal to zero percent (0%).

INTRASTATE ACCESS SERVICE

2. General Regulations (Cont'd)2.7 Identification and Rating of VoIP-PSTN Traffic (Cont'd)(D) Initial Implementation of PVU Factor

The Telephone Company will apply the Initial PVU factor on the next bill date provided that the PVU factor and the relevant and verifiable supporting documentation described above are provided to the Telephone Company at least fifteen (15) days prior to the next bill date. A factor received less than fifteen (15) days before the next bill date, will be applied on the bill date following the next bill date unless otherwise agreed to by the Telephone Company and the customer. Otherwise, it will set the initial PVU equal to 0% as specified in subsection (C)(3) above.

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(E) PVU Factor Updates

The customer may update the PVU factor quarterly using the method set forth in subsection (C)(1), above. If the customer chooses to submit such updates, it shall forward to the Telephone Company, no later than 15 days after the first day of January, April, July and/or October of each year, a revised PVU factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU.

(F) PVU Factor Verification

Not more than four times in any year, the Telephone Company may ask the customer to verify the PVU factor furnished to the Telephone Company. The party so requested shall comply, and shall reasonably provide the records and other information used to determine the PVU factors.

The customer-provided PVU and supporting documentation for the factor shall be based on information that is verifiable by the Telephone Company, including but not limited to the number of the customer's retail VoIP subscriptions in the state (*e.g.* as reported on FCC Form 477), traffic studies, actual call detail or other relevant and verifiable information.